Order

Michigan Supreme Court Lansing, Michigan

October 26, 2010

141486-7

TIMOTHY McCRATE, Plaintiff-Appellee, Marilyn Kelly, Chief Justice

Michael F. Cavanagh Maura D. Corrigan Robert P. Young, Jr. Stephen J. Markman Diane M. Hathaway Alton Thomas Davis, Justices

SC: 141486-7

COA: 295537, 295606 WCAC: 07-000111

DEPARTMENT OF CORRECTIONS, Defendant-Appellee,

and

V

SECOND INJURY FUND (PERMANENT AND TOTAL DISABILITY PROVISION),

Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 15, 2010 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

TANSING .

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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

October 26, 2010

Clerk